

SENATE BILL 3448

By Southerland

AN ACT to amend Tennessee Code Annotated, Section 70-6-201, relative to seizure of commercial fishing equipment.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 70-6-201(a), is amended by deleting the word "All" and by substituting instead "Except as provided in subdivision (c)(4), all".

SECTION 2. Tennessee Code Annotated, Section 70-6-201(c), is amended by adding the following language as a new subdivision (4):

(4) Notwithstanding any rule, law, or regulation to the contrary, officers of the agency as well as other law enforcement officials, including sheriffs and their deputies, have no authority to seize commercial fishing equipment unless the person has been found guilty of the crime charged in a court of law. Upon conviction and upon a determination pursuant to subdivision (c)(1) that the things seized are contraband, the court, in the court's discretion, is authorized to order seizure of the contraband property used in the commission of the crime for which the person was convicted.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.